

30. (Pending) The system of claim 29 wherein the stirring head comprises a molded body.

31. (Pending) The system of claim 30 wherein the body is plastic.

32. (Pending) The system of claim 31 wherein the shaft portion includes a plate with upwardly extending fingers and the stirring head including a driver with a blade actuatable with the fingers to effect rotation, and the engaging portion engages the plate.

33. (Pending) The system of claim 30 or 32 wherein the interference arm is a single downwardly extending arm.

34. (Pending) The system of claim 30 or 32 wherein the interference arm comprises two downwardly extending arms.

35. (Pending) The system of claim 30 or 32 wherein the interference arm is pivotable with respect to the stirring head.

36. (Pending) The system of any one of claims 30 or 32 wherein the can cover includes a pouring spout and the interference arm engages the spout to prevent rotation.

37. (Pending) The system of claim 30 or 32 wherein the shelf is free of pins.

51. (Pending) The system of claim 29 wherein the head is connected to a hollow shelf arranged above the can cover.

## REMARKS

### **Status of the Claims**

Claims 1-14, 18, 22, 23, 25-27, 29-37 and 51 are pending in the application. Claims 15-17, 19-21, 24, 28 and 38-50 were previously canceled. Claims 1-14, 18, 22, 23 and 25-27 are allowed. Claims 29-34 and 51 are rejected. Claim 35 is objected to. The only independent claim remaining under rejection is claim 29.

### **Interview with Examiner**

A statement of the substance of a telephonic interview with Examiner Cooley on August 15, 2006 accompanies this response. In this interview a further change to claim 29 was

suggested. That suggestion is now being adopted in full by this proposed amendment to claim 29 along with the changes already proposed in the last amendment after final filed July 27, 2006. For completeness a full explanation of the amendments to claim 29, including those made in the last amendment, appears below, along with a description of support for each element of claim 29 based on the original application.

**Claims Presented with this Response**

Claim 25 (clean underlined copy) presently includes the required underlining in the last line.

Claim 29 has been amended and attached is a marked-up version of amended claim 29 in order to clarify the individuality of the stirring heads to address the examiner's interpretation of the IT reference in the final rejection mailed March 31, 2006 and the relationship between the interference arm and the portion of the body of the stirring head that serves to trap the can cover. As we understand it, the Examiner contends that with a single paint can in the rack, the system of the IT reference would afford an "individual stirring head." We take it that the Examiner agrees that the IT reference does not in fact disclose multiple stirring heads which both trap the cover and prevent rotation. While we do not agree that the IT reference discloses an "individual stirring head" in the sense intended by claim 29, in the spirit of compromise, we propose an amendment to the claim that will render this issue moot.

In particular, claim 29 as we propose to amend it (see page following these remarks), now expressly requires a plurality of stirring heads associated respectively with corresponding paint cans, each head having an interference member that is separate from the part of the stirring head body that captures the can cover. The IT reference does not have a plurality of stirring heads. The claim has also been amended to more clearly and positively require that the interference arm is separate from the stirring head body portion that traps the can cover. The IT reference does not have a separate body portion that traps the can cover. Integral tube 10 merely offers openings 11 through which the clamping screws 4 can pass and engage the driving mechanism.

In addition, per the afore-mentioned interview with Examiner Cooley, claim 29 now spells out that the "interference arm. . . extends downwardly toward the shelf below said portion

of said body” in order to further clarify this distinction over the integral arrangement of the IT reference.

Claim 29 is explicitly supported in the disclosure of the original application as shown in the following table correlating the supporting disclosure with each claim element:

<b>Elements of claim 29</b>	<b>Supporting disclosure</b>
A plurality of removable paint can covers	Cover 17 shown as example in Fig. 12
Support shelf for row of removable cans	Figs. 1 and 12
Plurality of individual stirring heads . . .positioned so as to engage the stirrer when the can is inserted with its cover on the shelf	Heads 4 , Figs. 1, 2 and 12
A portion of the body [of the stirring head] being shaped to trap the cover in position when the can is inserted	Grip 11, Fig. 11
Interference arm...that extends downwardly toward the shelf below said portion of said body. . .	Depending interference arm(s) of stirrup 12, Fig. 11
Region between each individual stirring head and the shelf. . .being free of obstructions that would restrain insertion of the respective can or its cover to single orientation on the shelf.	Vacant space on and above shelf 3, Figs. 1, 4-7 and 12

The foregoing correlation of support with the elements of claim 29 is only intended to show an example of what the claim element reads on in the disclosure and not intended to suggest that such specific supporting disclosure is required by the claim or otherwise incorporated into the claim language itself.

#### **Reissue Oath/Declaration**

A supplemental declaration for reissue patent application to correct “errors” statement (37 CFR 1.175) which was executed by the inventor Michel Lesimple on August 31, 2006 is being filed herewith.

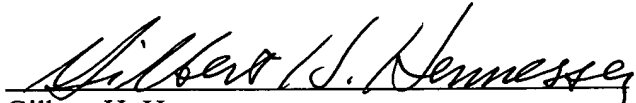
Applicant : Michel Lesimple  
Serial No. : 09/648,588  
Filed : August 25, 2000  
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Attorney's Docket No.: 10767-003001

Enclosed is a Petition for Extension of Time along with a check for the required \$450.00 fee. Please apply any fees or credits due in this case, which are not already covered by check, to Deposit Account 06-1050, referencing 10767-003001.

Respectfully submitted,

Date: 10/02/06

  
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**Version of Claim 29 with Markings to Show Changes Being Made**

29. A system for stirring paint in a plurality of removable paint cans, comprising:  
a plurality of removable can covers for respective cans, each cover having ~~with~~ a paint stirrer for the respective can that includes a rotatable drive shaft;  
a can support shelf for a row of removable cans; and  
an plurality of individual stirring heads, one for a each single can in the row, each individual stirring head being positioned above the shelf that so as to engages the stirrer in the cover when the can is inserted with its cover on the shelf, the each stirring head comprising a body carrying a rotational stirrer drive mechanism, a portion of said body being shaped to trap the cover in the cover in position when the can is inserted on the shelf so that the drive shaft of the stirrer in the cover is drivingly aligned with the rotational drive mechanism in the stirring head, said body further including an separate interference arm, separate from said portion of said body, that extends downwardly toward the shelf below said portion of said body and that prevents rotation of the cover as the stirrer rotates by mechanically interfering with the cover as a stop against rotation in a single direction to prevent rotation of the cover in the same direction of rotation of the stirrer and an engaging member for engaging a portion of the drive shaft extending above the can cover,  
a region between ~~the~~ each individual stirring head and the shelf for inserting a respective can for stirring, the region being free of obstructions that would restrain insertion of the respective can or ~~the~~ its cover to a single orientation on the shelf.